THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, 13th November, 2006

W.P.No.18500 of 2004

Between:

Sindhe Srinivasarao … Petitioner

and

The Revenue Divisional Officer,
Narasaraopet Town,
Guntur District … Respondent

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.18500 of 2004

ORAL ORDER:

This Writ Petition is filed seeking a Mandamus declaring the Proceedings in Rc.No.1771/04-B, dated 1-10-2004 issued by the respondent in decategorizing Backward Class category fair price shop in 8th Ward, Narasaraopet Town into O.C. (women) category as arbitrary and illegal and consequently to direct the respondent to continue the 8th Ward fair price shop in Narasaraopet Town as B.C. category fair price shop.

Heard both sides.

It appears that the petitioner was a temporary fair price shop dealer of 8th Ward in Narasaraopet Town, Guntur District. According to him, the said fair price shop was held by the persons belonging to B.C. category for about 25 years. Further, in Narasaraopet Town, there are 50 fair price shops and only 7 are earmarked to B.Cs; therefore, necessarily, this shop ought to have been earmarked for BC category alone. As such, the impugned notification inviting applications for filling up the fair price shop dealership of 8th Ward, Narasaraopet Town by OC category candidate is arbitrary and illegal.

Learned Government Pleader placed before this Court records showing that the total number of fair price shops in Narasaraopet Division is 106 and the number of shops held by the people belonging to BC category are 27. This itself shows that more than 25% of the

shops are held by BC candidates. Apart from this, the total population of 8th Ward is about 2100 out of which 1600 belong to O.C. community and the remaining 500 belong to BC and other category people. In view of the above, I am of the opinion that the impugned notification earmarking 8th Ward of Narasaraopeta in favour of OC candidate can neither be said to be arbitrary nor illegal. No case is made out by the petitioner to interfere with the impugned Notification. The Writ Petition is devoid of merits and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

13-11-2006

prk